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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/722,452

11/28/2003

Masahiko Kubo

117861

8268

25944 7590 12/05/2008
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EXAMINER

WILLS, LAWRENCE E

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

12/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed November 17, 2008 have been fully considered but they are not persuasive.

2. In response to applicant's argument that "the applied references fail to disclose or render obvious the claimed combination of features including "a second conversion of determining the remaining three variables of the second color signal on the basis of the determined (N-3) variables of the second color signal and the first color signal so that the second color signal is colorimetrically equal to the first color signal" (independent claims 1 and 18-19, and the corresponding unit and step of claims 9 and 17 (page 2 of Remarks) and further., one of ordinary skill would have understood that Velde leads away from the use of the Neugebauer equations. Because Mahy (U.S. Patent No. 5,878,195), as described above, discloses use of the Neugebauer equations, one of ordinary skill would not have modified Velde by using the inversion of the Neugebauer equations as taught by Mahy because, as stated by Velde, this modification would be detrimental because the solution would not be robust and simple, and would not result in the ability to separate the color and color management problems. Instead, one of ordinary skill would have been motivated, based on the references taken as a whole, to use Velde's solution. Thus, the references provide no reasons to modify Velde as proposed in the Office Action. Poe, cited as disclosing undercolor removal (UCR), does not cure the deficiencies of Velde. (page 3 and 4 of Remarks)", the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the

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structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAWRENCE E. WILLS whose telephone number is (571)270-3145. The examiner can normally be reached on Monday-Friday 9:30 AM - 6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/

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Supervisory Patent Examiner, Art Unit 2625

LEW

December 2, 2008